

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In the Matter of:

SHAHRZAD BASTAMI

Debtor

Chapter 13

Case No. 08-13496-RGM

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Violation of 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Notice and Motion to Dismiss
Shahrzad Bastami, Case #08-13496-RGM

Attend the hearing to be held on November 10, 2010 at 9:30 a.m., in Courtroom #3 on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: October 7, 2010 _____ /s/ Thomas P. Gorman _____
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 7th day of October, 2010, mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Shahrzad Bastami
Chapter 13 Debtor
4801 Christie Jane Lane
Fairfax, VA 22030

Darden Hutson, Esq.
Attorney for Debtor
4807 Hermitage Rd. Ste. 205
Richmond, VA 23227

/s/ Thomas P. Gorman _____
Thomas P. Gorman

Thomas P. Gorman, Standing Chapter 13 Trustee
INTERIM STATEMENT AS OF 10/07/2010

CASE NO: 08-13496-RGM

STATUS: BASE PLAN

DEBTOR: XXX-XX-7068

BASTAMI, SHAHRZAD

AKA:

DATE FILED: 06/18/2008 4801 CHRISTIE JANE LANE

CONFIRMED: 10/23/2008 FAIRFAX, VA 22030

LATEST 341: 08/19/2008

PERCENTAGE: .000 ATTORNEY: DARDEN HUTSON, ESQ.
4807 HERMITAGE RD. STE. 205
RICHMOND, VA 23227
Phone: 804 266-4895 Fax: 804 266-4482

PLAN: 60 MONTHS

1st PAYMENT DUE: 07/2008

Needed to Complete Base:

ON SCHEDULE: 20,700.00

BASE: 47,100.00

ACTUAL PAYMENTS: 16,705.88

30,394.12

AMOUNT BEHIND: 3,994.12

SCHEDULE: 800.00 MONTHLY

TOTAL PAID: 16,705.88

LAST 12 TRANSACTIONS

Date	Source	Amount
09/15/10	PC	800.00
07/19/10	PC	800.00
05/25/10	PC	800.00
03/30/10	PC	800.00
02/17/10	PC	800.00
12/10/09	PC	800.00
11/19/09	PC	800.00
10/15/09	PC	800.00
09/17/09	PC	800.00
08/13/09	PC	800.00
07/16/09	PC	800.00
06/11/09	PC	800.00
05/14/09	PC	800.00
04/08/09	PC	800.00

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME	DISB CODE		CLASS	INT. BEGIN	INT. RATE	FIX PAY	ORG. CLAIM	APPROVED TO BE PAID	PRIN. PAID	PRIN. DUE
			LAST DISB	PAY%				ARREARS	SCHED AMT			
001	319110	VANTRIA FEDERAL CREDIT UNION	FIX 09/2010	100.00	SEC	06/18/2008	8.1500	720.00	32,500.00	32,500.00	8,103.75	24,396.25
001	319110	VANTRIA FEDERAL CREDIT UNION	PRO	0.00	UNS			0.00	8,268.97	8,268.97	0.00	165.69
002	318944	AIRNEX COM	PRO	0.00	UNS			0.00	8,100.00	0.00	0.00	Not Filed
003	298865	ALLIED CREDIT	PRO	0.00	UNS			0.00	281.00	0.00	0.00	Not Filed
004	314113	ROUNDUP FUNDING, LLC	PRO	0.00	UNS			0.00	1,296.80	1,296.80	0.00	0.00
005	318258	BARCLAYS BANK	PRO	0.00	UNS			0.00	1,195.00	0.00	0.00	0.00
006	316873	BRANCH BANKING & TRUST COMPANY	PRO	0.00	UNS			0.00	771.21	771.21	0.00	0.00
007	316873	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	741.00	0.00	0.00	0.00
008	316873	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	1,631.78	1,631.78	0.00	0.00
009	303802	CAREFIRST BLUECROSS	PRO	0.00	UNS			0.00	1,631.00	0.00	0.00	0.00
010	314113	CHASE BANK	PRO	0.00	UNS			0.00	903.17	903.17	0.00	0.00
011	318945	COGENT FINANCIAL GROUP	PRO	0.00	UNS			0.00	864.00	0.00	0.00	0.00
012	312788	FDS BANK/ BLOOMINGDALES	PRO	0.00	UNS			0.00	5,800.00	0.00	0.00	Not Filed
013	321074	PRA RECEIVABLES MANAGEMENT, LLC	PRO	0.00	UNS			0.00	109.83	109.83	0.00	0.00
014	313487	1ST NATIONAL BK OF MARIN/LVNV	PRO	0.00	UNS			0.00	79.00	0.00	0.00	0.00
015	316595	WALMART	PRO	0.00	UNS			0.00	587.17	587.17	0.00	0.00
016	316873	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	587.00	0.00	0.00	0.00
017	318948	GE MONEY	PRO	0.00	UNS			0.00	346.86	346.86	0.00	0.00
018	318948	GE MONEY	PRO	0.00	UNS			0.00	346.00	0.00	0.00	0.00
019	317193	ECAST SETTLEMENT CORP.	PRO	0.00	UNS			0.00	2,492.82	2,492.82	0.00	0.00
020	317193	ECAST SETTLEMENT CORP.	PRO	0.00	UNS			0.00	2,492.00	0.00	0.00	0.00
021	317193	BEST BUY	PRO	0.00	UNS			0.00	1,037.02	1,037.02	0.00	0.00
022	317193	NEIMAN MARCUS	PRO	0.00	UNS			0.00	952.00	0.00	0.00	0.00
023	312588	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	8,188.00	0.00	0.00	Not Filed
024	318949	HSBC BANK	PRO	0.00	UNS			0.00	1,325.60	1,325.60	0.00	0.00
025	317193	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	1,293.00	0.00	0.00	0.00
026	317193	BEST BUY	PRO	0.00	UNS			0.00	560.84	560.84	0.00	0.00
027	317193	NEIMAN MARCUS	PRO	0.00	UNS			0.00	561.00	0.00	0.00	0.00
028	312588	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	1,089.36	1,089.36	0.00	0.00
029	312588	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	1,089.00	0.00	0.00	0.00
030	312588	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	913.14	913.14	0.00	0.00
031	312588	ECAST SETTLEMENT CORPORATION	PRO	0.00	UNS			0.00	913.00	0.00	0.00	0.00

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

ToolBar 9.5

Thomas P. Gorman, Standing Chapter 13 Trustee
INTERIM STATEMENT AS OF 10/07/2010

CASE NO: 08-13496-RGM

STATUS: BASE PLAN

DEBTOR: XXX-XX-7068

BASTAMI, SHAHRZAD

SCHEDULE: 800.00 MONTHLY

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME	DISB CODE	CLASS	INT. BEGIN	FIX PAY	ORG. CLAIM	APPROVED	PRIN. PAID	PRIN. DUE
		CLAIM REMARK	LAST DISB	PAY%	INT. RATE	ARREARS	SCHED AMT	TO BE PAID	INT. PAID	INT. DUE
023	317731	JC PENNEY	PRO	UNS		0.00		0.00	0.00	Not Filed
				0.00		0.00	913.00	0.00	0.00	
024	276551	LOWES	PRO	UNS		0.00		0.00	0.00	Not Filed
				0.00		0.00	379.00	0.00	0.00	
025	312627	ECAST SETTLEMENT CORPORATION	PRO	UNS		0.00	379.24	379.24	0.00	0.00
				0.00		0.00	379.00	0.00	0.00	
026	317150	MERRICK BANK	PRO	UNS		0.00	1,781.65	1,781.65	0.00	0.00
				0.00		0.00	1,781.00	0.00	0.00	
027	266341	NASA FEDERAL CREDIT UNION	PRO	UNS		0.00	3,593.60	3,593.60	0.00	0.00
				0.00		0.00	3,358.00	0.00	0.00	
028	311760	NORDSTROM FSB	PRO	UNS		0.00	1,216.16	1,216.16	0.00	0.00
				0.00		0.00	848.00	0.00	0.00	
029	315052	ECMC	PRO	UNS		0.00	2,171.21	2,171.21	0.00	0.00
				0.00		0.00	2,148.00	0.00	0.00	
030	316856	SST/COLUMBUS BANK & TRUST	PRO	UNS		0.00		0.00	0.00	Not Filed
				0.00		0.00	2,880.00	0.00	0.00	
031	316856	SST/COLUMBUS BANK & TRUST	PRO	UNS		0.00		0.00	0.00	Not Filed
				0.00		0.00	977.00	0.00	0.00	
032	318258	BRANCH BANKING & TRUST COMPANY	PRO-A	UNS		0.00	34.90	34.90	0.00	0.00
		UNLISTED		0.00		0.00	0.00	0.00	0.00	
033	318102	ECAST SETTLEMENT CORPORATION	PRO-A	UNS		0.00	787.50	787.50	0.00	0.00
		UNLISTED/ HSBC		0.00		0.00	0.00	0.00	0.00	
034	283743	NASA FEDERAL CREDIT UNION	PRO-A	UNS		0.00	32,451.83	32,451.83	0.00	0.00
		UNLISTED		0.00		0.00	0.00	0.00	0.00	
035	VATA	VIRGINIA DEPT. OF TAXATION	PRO-A	PRI		0.00	3,249.51	3,249.51	0.00	3,249.51
		UNLISTED AND LATE- tr to obj		100.00		0.00	0.00	0.00	0.00	
035	VATA	VIRGINIA DEPT. OF TAXATION	PRO-A	UNS		0.00	9,120.15	9,120.15	0.00	0.00
		Split Claim UNLISTED AND LATE - obj		0.00		0.00	0.00	0.00	0.00	
799	HUTSON	DARDEN HUTSON, ESQ.	PRO	ATY		0.00	1,500.00	1,500.00	1,500.00	0.00
		Pay 1st per B-11 - OK with GMO	12/2008	100.00		0.00	1,500.00	1,500.00	1,500.00	0.00
Trustee Administrative Fees								1,337.59	1,337.59	
					TOTALS:		720.00	117,274.86	118,612.45	10,941.34
							3,136.71	98,475.00	38,587.10	5,754.54
										27,645.76
										165.69

	ADMIN	ATTORNEY	PRIORITY	SECURED	UNSECURED	OTHER		
SCHED AMOUNT:	0.00	1,500.00	0.00	32,500.00	64,475.00	0.00		
CLAIM AMOUNT:	0.00	1,500.00	3,249.51	32,500.00	0.00	0.00		
PAID BY TRUSTEE:	0.00	1,500.00	0.00	8,103.75	0.00	0.00		
PAID BY 3rd PARTY:	0.00	0.00	0.00	0.00	0.00	0.00		

SUB TOTAL:	0.00	0.00	3,249.51	24,396.25	0.00	0.00	DUE CREDITORS:	27,811.45
INTEREST DUE:	0.00	0.00	0.00	165.69	0.00	0.00	EXPECTED ADMIN:	1,743.76
CONTINUING:	0.00	0.00	0.00	0.00	0.00	0.00	LESS AVAILABLE:	10.00

BALANCE DUE:	0.00	0.00	3,249.51	24,561.94	0.00	0.00	APPROX BALANCE:	29,545.21

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